

CUSTOMER NO.: 24498
Serial No.: 09/869,492
Office Action dated: February 9, 2006
Response dated: May 8, 2006

PATENT
RCA 89,855

Remarks/Arguments

Claims 1-20 are pending in this application, and are rejected in the non-final Office Action of February 9, 2006. No claim amendments are presented herein. A current listing of the claims is included herein for the Examiner's convenience.

Re: Claims 1, 3 and 15

Claims 1, 3 and 15 are rejected under U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,597,791 issued to Klayman (hereinafter "Klayman"). Applicant respectfully traverses this rejection since Klayman fails to teach or suggest all elements of the claimed invention.

Applicant first notes that independent claims 1 and 15 include:

"means for providing tonal compensation for the **(L+R) signal** by increasing an amplitude of the **(L+R) signal** in a bass frequency band relative to a mid-range frequency band" (see claim 1 - emphasis added), and

"providing tonal compensation for the **(L+R) signal** by increasing an amplitude of the **(L+R) signal** in a treble frequency band relative to a mid-range frequency band" (see claim 15 - emphasis added).

In the Office Action of February 9, 2006, the Examiner alleges that element 36 of Klayman, namely bandpass filter 36 (see FIG. 3), corresponds to foregoing elements of claims 1 and 15 (see page 3 of Office Action). However, bandpass filter 36 of Klayman receives and processes the **(L-R)_p signal**, and does not even receive the **(L+R) signal**. Accordingly, Klayman fails to teach or suggest, *inter alia*, "means for providing tonal compensation for the (L+R) signal by increasing an amplitude of the (L+R) signal in a bass frequency band relative to a mid-range frequency band" as recited in claim 1, and "providing tonal compensation for the (L+R) signal by increasing an amplitude of the (L+R) signal in a treble frequency band relative to a mid-range frequency band" as recited in claim 15. Claim 3 depends from claim 1, and is deemed allowable for at least the same reasons. In view of this clarification, Applicant respectfully requests withdrawal of the rejection of claims 1, 3 and 15.

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Re: Claims 2 and 16

Claims 2 and 16 are rejected under U.S.C. § 102(b) as anticipated by U.S. Patent No. 4,803,727 issued to Holt (hereinafter "Holt"). Applicant respectfully traverses this rejection since Holt fails to teach or suggest all elements of the claimed invention.

Applicant first notes that claims 2 and 16 depend from independent claims 1 and 15, respectively. As indicated above, independent claims 1 and 15 include:

"means for providing tonal compensation for the (L+R) signal by increasing an amplitude of the (L+R) signal in a bass frequency band relative to a mid-range frequency band" (see claim 1), and

"providing tonal compensation for the (L+R) signal by increasing an amplitude of the (L+R) signal in a treble frequency band relative to a mid-range frequency band" (see claim 15).

In the Office Action of February 9, 2006, the Examiner relies on column 5, lines 20-34 of Holt for allegedly disclosing the foregoing elements of claims 1 and 15 (see page 3 of Office Action). However, the relied upon section of Holt provides absolutely no such disclosure. In particular, column 5, lines 20-34 of Holt state:

"At the receiver the received signal is demultiplexed 19 into the coded sum, difference and data signals. The sum and difference signals are decoded as previously described, 46,47, to produce an analogue sum signal of 7 kHz bandwidth and an analogue difference signal of 2 kHz bandwidth. The sum signal is split into a low band signal (L+R)_l by a low-pass filter 48 having a cut-off frequency of 2 kHz (ie equal to the bandwidth difference signal), and into a high-band signal (L+R)_h by a band pass filter 49 having a pass band of 2-7 kHz (ie the remainder). The low band sum signal (L+R)_l and the difference signal are then mixed together in adders 6 and 7 to provide true stereo left L1 and R1 outputs of bandwidth 2 kHz. The high band sum signal (L+R)_h is then reintroduced, in adders 50 and 51, to the stereo signals."

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As indicated above, column 5, lines 20-34 of Holt fails to teach or suggest, *inter alia*, "means for providing tonal compensation for the (L+R) signal by increasing an amplitude of the (L+R) signal in a bass frequency band relative to a mid-range frequency band" as recited in claim 1, or "providing tonal compensation for the (L+R) signal by increasing an amplitude of the (L+R) signal in a treble frequency band relative to a mid-range frequency band" as recited in claim 15. Claims 2 and 16 depend from claims 1 and 15, respectively, and therefore also include these claim elements. In view of this clarification, Applicant respectfully requests withdrawal of the rejection of claims 2 and 16.

Re: Claims 4 and 10

Claims 4 and 10 are rejected under U.S.C. § 103(a) as being unpatentable over Klayman. Applicant respectfully traverses this rejection since Klayman fails to teach or suggest all elements of the claimed invention.

Applicant first notes that independent claims 1 (from which claim 4 depends) and 10 include:

"means for providing tonal compensation for the **(L+R) signal** by increasing an amplitude of the **(L+R) signal** in a bass frequency band relative to a mid-range frequency band" (see claim 1 – emphasis added), and

"circuitry operative to provide tonal compensation for the **(L+R) signal** path by increasing an amplitude of an **(L+R) signal** in a bass frequency band and a treble frequency band relative to a mid-range frequency band" (see claim 10 – emphasis added).

In the Office Action of February 9, 2006, the Examiner again relies on bandpass filter 36 of Klayman for allegedly corresponding to circuitry operative to provide tonal compensation for the (L+R) signal by increasing an amplitude of the (L+R) signal in a bass frequency band [and a treble frequency band] relative to a mid-range frequency band (see page 4 of Office Action). However, as previously indicated above, bandpass filter 36 of Klayman receives and processes the (L-R)_p

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signal, and does not even receive the (L+R) signal. In view of this clarification, Applicant respectfully requests withdrawal of the rejection of claims 4 and 10.

Re: Claims 5-9, 11-14 and 17-20

Claims 5-9, 11-14 and 17-20 are rejected under U.S.C. § 103(a) as being unpatentable over Klayman in view of U.S. Patent No. 5,208,493 issued to Lendaro (hereinafter, "Lendaro"). Applicant respectfully traverses this rejection since Lendaro '493 is unable to remedy the deficiencies of Klayman pointed out above with reference to independent claims 1, 10 and 15 (from which claims 5-9, 11-14 and 17-20 ultimately depend). In particular, neither Klayman nor Lendaro, whether taken individually or in combination, teaches or suggests, *inter alia*, "means for providing tonal compensation for the (L+R) signal by increasing an amplitude of the (L+R) signal in a bass frequency band relative to a mid-range frequency band" as recited in claim 1, "circuitry operative to provide tonal compensation for the (L+R) signal path by increasing an amplitude of an (L+R) signal in a bass frequency band and a treble frequency band relative to a mid-range frequency band" as recited in claim 10, or "providing tonal compensation for the (L+R) signal by increasing an amplitude of the (L+R) signal in a treble frequency band relative to a mid-range frequency band" as recited in claim 15. Accordingly, the proposed combination of Klayman and Lendaro fail to render obvious dependent claims 5-9, 11-14 and 17-20, and withdrawal of the rejection is respectfully requested.

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Conclusion

In view of the foregoing remarks and arguments, Applicant believes that this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicant's attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled. No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,
ALAN ANDERSON HOOVER

By:


Reitseng Lin
Registration No. 42,804
Phone (609) 734-6813

RL:eb

Patent Operations
Thomson Licensing Inc.
P.O. Box 5312
Princeton, New Jersey 08540

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